

Summary

for

Project 1440-13/15-00

WIS 23 (Fond du Lac - Plymouth)

Fond du Lac and Sheboygan Counties

SUMMARY

LOCATION

The proposed action is a project located on WIS 23 in east central Wisconsin (see map on the inside of the EIS cover sheet). The project is located in Fond du Lac and Sheboygan Counties between the Cities of Fond du Lac and Plymouth. The project begins at County K in Fond du Lac County, just east of the new US 151 Bypass, and extends approximately 19 miles easterly to County P in Sheboygan County.

DESCRIPTION OF EXISTING FACILITY

Existing WIS 23 is a two-lane roadway with approximately 1.3 miles of adequate concrete sections and approximately 17.3 miles of bituminous pavement that is exhibiting some signs of distress. Horizontal and vertical curves within the project limits are generally adequate for the posted speeds. The pavement is 24 feet wide with 3-foot paved and 8-foot gravel shoulders.

Approximately 43 percent (average) of the existing roadway has no passing zones. Traffic volumes often prevent passing opportunities on the remaining roadway. The inability to pass restricts speed and maneuverability for through-traffic and may lead to driver frustration and inconvenience.

WisDOT has access controls by Wis. Stats 84.09 along the existing route. Approximately 168 driveways and field entrances and 67 side roads are present along the existing route.

DESCRIPTION OF PROPOSED ACTION

This Environmental Impact Study (EIS) is written to evaluate potential highway corridors and their associated impacts. WisDOT will choose a preferred alternative after gathering input from the public, municipalities, and participating agencies. The proposed action is to preserve and provide a safe and efficient transportation system for the WIS 23 corridor between the City of Fond du Lac and the City of Sheboygan to serve present and long-term traffic while minimizing disturbance to the natural and built environment.

PROJECT PURPOSE AND NEED

The purpose of this project is to provide additional capacity to serve existing and projected traffic volumes and to improve operational efficiency and safety for local and through traffic. The project will also provide for future mobility needs and enhance regional economic development in accordance with area-wide plans and Wisconsin's statewide Corridors 2020 plan.

The improved facility will meet today's physical and operational standards for a Corridors 2020 connector route. Through-traffic, commuters, and truck traffic will be able to maintain steady flow through the project area if WIS 23 is updated to these Corridors 2020 standards. The project will be designed and constructed to be safe and efficient while minimizing environmental impacts as possible and to meet the following needs for action.

Need for Action

Existing WIS 23 is a major connector between the Fond du Lac and Sheboygan urban areas. It is the only major east-west route connecting US 41 and I-43 between Milwaukee and the Fox Cities. WIS 23 is also designated as a long truck route. WIS 23 is identified in the Corridors 2020 Plan as a connector route. In the Corridor 2020 plan, connector routes are recommended to be high quality facilities providing the highest standards of roadway width, passing opportunities, safety, and driving comfort.

Currently, WIS 23 exhibits adequate physical characteristics compared to standards for rural state trunk highways. Increasing traffic volumes and multiple access points impedes the operational characteristics of WIS 23. The through traffic and truck traffic conflicts with local traffic and farm machinery. The local traffic and farm machinery enters and exits the highway from over 235 local roads, private driveways and field access points.

Even with existing traffic volumes, which range from 6300 to 13,600 vehicles per day, poor traffic characteristics result in low levels of service for WIS 23. As traffic volumes increase to those forecasted for the design year 2030 (10,100 to 21,800 vehicles per day) the existing two-lane roadway characteristics will obstruct smooth and safe traffic flow. The level of service for design year traffic will be unsatisfactory with the existing two-lane roadway.

The crash rate is expected to worsen with increased traffic and will likely increase the fatality rate that is already above statewide averages.

Project History

In the 1999 Biennial Budget, the Wisconsin State Legislature enumerated WIS 23 as a major project. Expanding highway capacity along the portion of WIS 23 from WIS 67 to US 41 in Sheboygan and Fond du Lac Counties is found in Wis. Stats 84.013 (ra).

Transportation and Area-wide Plans

Other proposed WisDOT transportation projects or actions within the project area include the four-year US 151 Bypass of Fond du Lac construction project to provide a system link to US 41.

WIS 23 between County P and WIS 67 in the City of Plymouth is being expanded to a four-lane facility in 2004 and 2005. WIS 23 expansion from the US 151 Bypass improvements to the improvements in Plymouth are consistent with this corridor and growing needs in east central Wisconsin and will complete the four-lane expansion of WIS 23 from Fond du Lac to Sheboygan.

Corridor Preservation

Corridor preservation involves protecting right-of-way for planned long-term transportation needs and precluding the possibility of future highway improvements that would disrupt established and planned community development. WisDOT will work together with local governments regarding future access to assist them in making land use and development decisions and preserving the land needed for future transportation improvements.

ALTERNATIVES

Corridor alternatives were developed using local input and based on information compiled on composite constraint maps of the area, engineering feasibility, and design standards. The constraint maps contained property lines, homes, businesses, farms, buildings, wetlands, historic sites, archaeological sites, cemeteries, potentially contaminated sites, quarries and drainage features. The alternatives retained for detailed study were selected based on the ability to fulfill the purpose and need discussed above.

No Build

Under the no Build Alternative, WIS 23 would not be expanded to provide additional roadway capacity. Any future work along WIS 23 would attempt to maintain current capacity levels, preserve an acceptable roadway surface, and address safety concerns at critical locations.

The No Build Alternative would fail to address future traffic demands, highway deficiencies, and safety concerns throughout the WIS 23 corridor. The No Build will serve as a comparison to the Build Alternatives discussed in the study.

Build Alternatives

All of the alternatives selected for detailed study are viable build options that satisfy the project purpose and need. There are three major alternatives being considered that provide the best alignments while balancing the overall impacts to adjacent development and environmental resources to the extent possible and practical.

All alternates begin about ½ mile west of County K in the City of Fond du Lac and follow the existing alignment to the top of the Niagara Escarpment. All three alternatives consider improvements to the County K area in Fond du Lac and the Old Plank Trail possibly being extended to US 151 in the City of Fond du Lac. Both of these issues are discussed in Section II independent of the alternative discussed. Each of the three alternatives follow the existing highway alignment from just east of County U in Sheboygan County easterly for about 6.2 miles until ending at County P near the City of Plymouth.

Alternate 1: Highway Expansion Along Existing Roadway.

Figure S-1



Alternate 2: Highway expansion along the existing roadway, with a four-mile relocation north of existing WIS 23 between Log Tavern Road and Sunrise Road.

Figure S-2



Alternate 3: Highway expansion as a convertible freeway, on relocation south of existing WIS 23 from County UU to Log Tavern Road and north of existing WIS 23 to Sunrise Road. There are two possible connections of this alternative to existing WIS 23 near County UU and two connections near Log Tavern Road.

Figure S-3



Other Alternatives Not Selected for Detailed Study

Six other alternatives were considered during the corridor study but were not carried forward in the detailed study analysis:

1. **Non-Highway Alternate of Transportation** using light rail, mass transit, and related highway improvements. The implementation and/or expansion of any one of these modes must be economically reasonable and viable. Presently, there is no rail passenger service or public bus transit in the project area. The unavailability of these services is due to insufficient demand at this time. There are no feasible alternatives to driving in the project area.
2. **Transportation System Management** would not solve the capacity problems throughout the corridor.
3. **Improve Existing Alternate** is not practical as much of the Fond du Lac County portion of this project was reconstructed in 1989 and it would not increase capacity.
4. **Three-Lane Roadway or Passing Lanes** do not meet the long-term needs for WIS 23 and was not brought forward for study because of the following reasons.
 - WIS 23 is recommended as a four-lane roadway in Wisconsin's Corridor 2020 report.
 - WisDOT's policy for passing lanes does not recommend WIS 23 for passing lanes.
 - WIS 23 exceeds the current standards for a four-lane facility in the design year (2030).
 - Passing lanes will not improve the Level of Service (LOS) on WIS 23.
 - Passing lanes provide only a ten-year transportation solution in a limited area and do not add capacity to the highway.
 - Only 8 miles of WIS 23 fall within the traffic criteria for adding passing lanes, which is 7 miles shorter than recommended (15 to 50 miles) for building passing lanes.
 - WisDOT design standards for three-lane highways are not met in the limited 8-mile section possible for passing lanes on WIS 23.
5. **A Free Flow Connection to US 151 Bypass** would result in substantial impact to the ecologically significant Niagara Escarpment ridge that already has a development restriction on it by the City and County of Fond du Lac. Additionally, a new systems interchange would negate the effectiveness and need for the new interchange at existing WIS 23. Traffic forecast models have shown that the movement between WIS 23 and US 151 will not be high enough to warrant a free flow systems interchange.
6. **Northern Alternative Routes** were not studied any further as they would accomplish the same goals of a southern alternative (Alternative 3) with greater impact to wetlands, more residential relocations, and higher costs.

ENVIRONMENTAL IMPACTS

A detailed discussion of all environmental consequences is in Section IV. The Environmental Matrix of Detailed Study Alternatives, Table S-1, on page Summary-8, lists the numerical impacts of the detailed study alternatives investigated.

All build alternates will have some adverse environmental impacts. The project must balance the concern for environmental protection with economic development, including secondary and cumulative effects. To help achieve this, environmental impacts will be minimized through design that reduces the impact. Mitigation will be provided several ways, including the creation of adjacent or off-site wetland areas, and the improvement of public crossings, trails, and access points.

Environmental impact studies are conducted for each corridor alternate. The analysis of impacts includes a review of air and noise effects, farmland taken out of production, residential and business relocations, wetlands removed, endangered species impacted, potential archaeological and historical sites that may be eligible on the National Register of Historic Places (NRHP), possible contaminated sites, public and private access points, estimated right-of-way required, public input and costs. These impacts are discussed in Section IV.

COOPERATING AGENCY

The Federal Highway Administration (FHWA) is the lead agency for this EIS under the National Environmental Policy Act (NEPA). WisDOT is conducting the environmental and engineering evaluations, providing public involvement, coordinating with state and federal agencies, Native American Tribes, and preparing the EIS in consultation with FHWA.

The US Army Corps of Engineers (COE) is a Cooperating Agency for the Draft EIS as prescribed in 33 CFR 230. In accordance with COE regulations under Section 404 of the Clean Water Act, the COE remains impartial until an independent public interest review has been completed. See Section VI for a copy of the COE letter indicating their acceptance of the project purpose and need and project range of alternatives presented in the DEIS.

ENVIRONMENTAL JUSTICE

This document is in compliance with U.S. DOT and FHWA policies to determine whether a proposed project will have induced socioeconomic impacts or any other adverse impacts on minority or low-income populations; and it meets the requirements of Executive Order on Environmental Justice 12898 - "Federal Actions to Address Environmental Justice in Minority and Low-Income Populations". Minority or low-income individuals may be dispersed throughout the study area, though no known minority or low-income populations will be adversely impacted as a result of any of the alternatives selected for detailed study.

OTHER ACTIVITIES REQUIRED

Relocation Assistance Plans for displaced residents and businesses require approval by the Wisconsin Department of Commerce under Wis. Stats. 32.25.

Stream and wetland impacts associated with the Recommended Alternate are subject to individual Section 404 permits required by the Army Corp of Engineers.

A water quality certification, Section 401 permit is required by the WDNR.

The proposed highway improvement project will be planned and implemented in accordance with the standards of erosion control and storm water management established in TRANS 401.

Cultural resource impacts require coordination with the State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP), and completion of requirements of the National Historic Preservation Act of 1966. Coordination and consultation with interested Native American tribes will be conducted throughout the course of this project.

An Agricultural Impact Statement (AIS) prepared by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is required under WIS Statutes 32.025, before negotiating with property owners regarding real estate acquisition from farming operations. See Section VI, Comments and Coordination, for a copy of the Agricultural Impact General Letter. The AIS will be completed for the Final EIS when the preferred alternative has been selected.

Any relocation of WIS 23 will require a change in official location under WIS Statute 84. In addition, the jurisdictional transfer of portions of the existing highway to an appropriate local unit of government may be required.

Mitigation commitments for affected Section 4(f) and Section 6(f) properties will be completed for the Final EIS.

REGULATORY COMPLIANCE

The planning, agency coordination, public involvement, and impact evaluation for the project have been conducted in accordance to the National Environmental Policy Act, the Clean Water Act, Executive Orders regarding wetland and floodplain protection, the Fish and Wildlife Coordination Act, the Migratory Bird Treaty Act, the Executive Order on Environmental Justice 12898, the National Historic Preservation Act of 1966, and other state and federal laws, executive orders, policies, and procedures for environmental impact analyses and preparation of environmental documents.

PUBLIC CONCERNS AND UNRESOLVED ISSUES

To date, the meetings and other coordination activities have indicated several main issues of concern to those interested in the project. The following, general concerns have been raised: conversion of farmland, impacts to farm operations, impacts to wetlands, uplands and wildlife habitats, safety concerns. Specific concerns written to WisDOT include:

- Several objection letters to Alternative 2 and Alternative 3
- Concerns about disturbing farms and business along Alternative 1 rather than building Alternative 2.
- Remaining steps to conclude National Historic Preservation Act Section 106 requirements include approval of the final archaeological investigation report by the State Historical Society, and assessment of effects on historic sites that have been found eligible to the National Register of Historic Places.
- Final design specifications of the Ice Age Trail and State Equestrian Trail crossing beneath WIS 23 will be available in the Final EIS.

PROJECT BENEFITS

The proposed project will provide the following benefits:

- Provide a safe and dependable highway connection to and from regional communities while reducing conflicts between local and through traffic.
- Improve the highway facility to meet current design standards for this connector route in Wisconsin.
- Complete the system link of US 41 to I-43, between the Cities of Sheboygan and Fond du Lac. WIS 23 is the only Corridors 2020 designated, multi-lane, east-west connector highway between the Green Bay and Milwaukee areas.
- Improve safety at intersections and farm crossings.
- Increase the mobility by adding capacity and minimizing public and private access.
- Preserve corridor for future transportation use by coordinating local governmental land use plans. This will alleviate development pressures on WIS 23 and intersecting roads, preserving the corridor for future transportation use.
- Maintain a rural highway type facility while addressing the increased traffic needs of the expanding urban area.